

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

Theresa Marie Siwka, et. al.,

Plaintiff,

Case No. 08-12152

v.

Hon. Nancy G. Edmunds

Smart Recovery Service, LLC, et. al.,

Defendant.

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ORDER ACCEPTING MAGISTRATE JUDGE'S  
REPORT AND RECOMMENDATION

This matter has come before the Court on the Magistrate Judge's Report and Recommendation. Being fully advised in the premises and having reviewed the record and the pleadings, including the Report and Recommendation and any objections thereto, the Court hereby ACCEPTS AND ADOPTS the Magistrate Judge's Report and Recommendation. It is ordered that Defendants Police Officer David Cunningham and Village of Wolverine Lake's motion for summary judgment [#131] is DENIED IN PART as to Plaintiffs' Count I against Defendant Officer Cunningham, except Plaintiff Siwka's claim for unreasonable seizure of the vehicle, and GRANTED IN PART as to Plaintiffs' Count I as it relates to Plaintiff Siwka's claim for unreasonable seizure of the vehicle and Count II against Defendant Village of Wolverine Lake. It is further ordered that Plaintiffs' claim against Village of Wolverine Lake is DISMISSED.

SO ORDERED.

s/Nancy G. Edmunds  
Nancy G. Edmunds  
United States District Judge

Dated: November 17, 2010

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on November 17, 2010, by electronic and/or ordinary mail.

s/Carol A. Hemeyer  
Case Manager